

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DANIEL RAVICHER,		:	
	Plaintiff,	:	13 Civ. 3908 (LLS)
		:	
v.		:	ECF Case
		:	
BANK OF AMERICA CORPORATION,		:	Electronically Filed
JPMORGAN CHASE & CO., and WELLS		:	
FARGO & COMPANY, all Delaware		:	
corporations,		:	
	Defendants.	:	
-----X		:	

**DECLARATION OF SCOTT D. MUSOFF IN
FURTHER SUPPORT OF DEFENDANTS' MOTION TO DISMISS THE COMPLAINT**

SCOTT D. MUSOFF, under penalty of perjury, declares as follows:

1. I am a member of the Bar of this Court and of the firm of Skadden, Arps, Slate, Meagher & Flom LLP, attorneys for Defendant Bank of America Corporation.
2. I respectfully submit this Declaration in support of Defendants' Motion to Dismiss the Complaint and to transmit to the Court true and correct copies of the documents described below.
3. Attached as Exhibits 1 and 2 are true and correct copies of the following documents:

Exhibit 1Memorandum & Order Regarding Herbalife's Motion for Summary Judgment in *Herbalife International of America, Inc. v. Ford*, Case No. CV 07-2529 GAF (FMOx) (C.D. Cal. May 5, 2010);

Exhibit 2Schedule 5.06 to March 9, 2011 Herbalife Credit Agreement, filed as
Exhibit 10.58 to Herbalife's Form 10-Q, dated May 2, 2011.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 18, 2013.

/s/ Scott D. Musoff
Scott D. Musoff